

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| SECURITIES AND EXCHANGE COMMISSION, : | |
| Plaintiff, : | 19 Civ. 9439 (PKC) |
| -against- : | ECF Case |
| TELEGRAM GROUP INC. and TON ISSUER : | Electronically Filed |
| INC., : | |
| Defendants. : | |
| ----- X | |

DEFENDANTS' NOTICE OF MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that, upon the Complaint, dated October 11, 2019; the accompanying Defendants' Memorandum of Law in Support of Their Motion for Summary Judgment and In Opposition to Plaintiff's Application for a Preliminary Injunction, dated January 14, 2020; the Declaration of Alexander C. Drylewski, dated January 14, 2020, and exhibits thereto; the Declaration of Stephen B. McKeon, dated January 13, 2020, and exhibits thereto; Defendants' Local Rule 56.1 Statement in Support of Their Motion for Summary Judgment; the Joint Stipulation of Undisputed Facts, dated January 14, 2020; and all prior pleadings, submissions, and proceedings had herein, Defendants will move this Court before the Honorable P. Kevin Castel, United States District Judge at the Daniel Patrick Moynihan United States Courthouse located at 500 Pearl Street, New York, New York, 10007-1312, at such date and time determined by the Court, for an order pursuant to Rule 56(a) of the Federal Rules of Civil Procedure granting Defendants' motion for summary judgment on Plaintiffs' claims for violations of Sections 5(a) and 5(c) of the Securities Act of 1933. 15 U.S.C. § 77e(a), (c).

Dated: New York, New York
January 14, 2020

Respectfully submitted,

/s/ Scott D. Musoff
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